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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,517	02/12/2001	Carl Harold Hansen	RD-28108-3	9305
41838	7590	07/05/2006	EXAMINER	
GENERAL ELECTRIC COMPANY (PCPI)				POINVIL, FRANTZY
C/O FLETCHER YODER				ART UNIT
P. O. BOX 692289				PAPER NUMBER
HOUSTON, TX 77269-2289				3628

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/781,517	HANSEN ET AL.
	Examiner Frantzy Poinvil	Art Unit 3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 07 April 2006.  
 2a) This action is FINAL. 2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-10, 13-18, 24 and 25 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10, 13-18, 24 and 25 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 4/7/2006 have been fully considered but they are not persuasive.
  
2. The Examiner thanks applicant's representative for noting that claims 13-18 and 24-25 were inadvertently not inserted in the heading section of the prior rejection. It should be noted that the Examiner intended to state that claims 1-5, 7-10, 13-18 and 24-25 were to be rejected under 35 USC 102(e) and that claim 6 was to be rejected under 35 USC 103(a) as noted in the body of the prior rejection.

Accordingly the status of the claims is that claims 1-5, 7-10, 13-18 and 24-25 are rejected under 35 USC 102(e) as anticipated by Koritzinsky et al (US Patent No. 6,598,011) and that claim 6 is rejected under 35 USC 103(a) as being unpatentable over Koritzinsky et al (US Patent No. 6,598,011) .

### **Response to the Applicant's arguments:**

As per claims 1 and 24, applicant's representative argues that Koritzinsky et al fail to teach or suggest "automatically copying portion of examination and series data from an event log to produce a reduced data set event log.

In response, the Examiner disagrees as Koritzinsky et al teach a remote user subscribes to a remote service for providing medical imaging data regarding a particular

subject or patient. The remote user provides desired parameters on the request. These parameters may also be automatically provided. See column 13, lines 34-66. These parameters include limits, image files, log files, error logs. See column 18, lines 8-23 and column 16, lines 47. Koritzinsky et al further teach permitting a user to configure a service request. See column 16, lines 23-63.

As per the limitation of automatically copying portions of the examination and series data from the event log to produce the reduced data set event log, Koritzinsky et al state "various types of reports may be produced including...numbers and types of examinations performed, errors or problems encountered, anticipated service needs...". See column 19, lines 21-39 and (column 13, line 23 to column 14, line 15 and figure 8). of Koritzinsky et al.

As per claims 9, 13 and 18, applicant's representative argues that Koritzinsky et al fail to teach or suggest producing a reduced data set event log based on the detection of predetermined conditions.

In response, Koritzinsky et al teach producing medical imaging data from a plurality of modalities based on parameters selected by a remote subscriber. See column 8, lines 2-17 and column 13, lines 35-66. Koritzinsky et al further teach generating a report for the remote subscriber which will be based on the conditions set forth by the remote subscriber. The report contains a reduced set of data as requested by the subscriber.

3. The prior Office action is repeated below.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-10, 13-18 and 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Koritzinsky et al (US Patent No. 6,598,011).

As per claims 1, 13, 18 and 24, Koritzinsky et al disclose a system and method for providing services to a variety of medical diagnostic modalities. In so doing, Koritzinsky et al disclose a method of producing a reduced data set event log comprising the acts of

(a) monitoring an event log comprising examination and series data from a digital imaging device. See column 13, lines 23-66.

(b) automatically copying portions of the examination and series data from the event log to produce the reduced data set event log (column 13, line 23 to column 14, line 15 and figure 8).

As per claims 2 and 17, Koritzinsky et al disclose the event log is produced from a computed tomography (CT) device (column 4, lines 30-56).

As per claims 3 and 16, Koritzinsky et al disclose the event log comprises a multi-threaded event log. See column 13, line 23 to column 14, line 15.

As per claim 4, Koritzinsky et al disclose providing a feature extracter module and analyzing the event log using the feature extracter module since Koritzinsky et al. teach the system automatically supplying certain information as an event log and identifying data for evaluation purposes . See column 13, lines 43-47 and lines 40-66. these data are maintained in the event log, error file or service request.

As per claims 5, 7 and 14, the system of Koritzinsky et al performing such as an automatic function and being in a network system denotes having an extracter module comprising a software algorithm or a software routine.

As per claims 8 and 15, Koritzinsky et al teach the feature extracter module comprises a state machine since certain conditions are being monitored. See column 13, lines 20-66.

Claim 9 contains limitations recited in claim 1, and these limitations are addressed in a similar rationale. Claim 9 further recites using a state machine and having switching states of the state machine. As per these limitations, Koritzinsky et al teach means for sensing or monitoring certain conditions and parameters of the type of modalities for producing the reduced data set event log. See column 13, lines 20-66.

As per claim 10, Koritzinsky et al further teach manually inspecting exemplary event logs comprising examination records and series records and identifying a plurality of text-strings corresponding to the examination records and series records. See column 13, lines 49-61. Koritzinsky et al also teach a service operator identifies the

examination records and series records. See also column 27, lines 21-39. Koritzinsky et al teach assigning a condition to each of the plurality of text strings, and using each of the conditions to define a state machine. See figure 8.

As per claim 25, see the rejection of claims 1 and 4 above.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koritzinsky et al. (US Patent No. 6,598,011).

As per claim 6, the teachings of Koritzinsky et al. are discussed above. Koritzinsky et al do not explicitly disclose the feature extracter module comprises a Programmable Only Memory (PROM) device. Koritzinsky et al teach providing automatic means for detecting and storing logs of certain events. See columns 13-14. Having a PROM device as a feature extracter module would have been obvious to one of ordinary skill in the art to do in modifying Koritzinsky et al. in order to provide the necessary logic to constantly monitor and report event logs of the computed tomography device.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Frantzy Poinvil**  
**Primary Examiner**  
**Art Unit 3628**

FP  
June 13, 2006